



**Santa Clara Valley  
Urban Runoff  
Pollution Prevention Program**

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July 13, 2007

Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

**Subject: Santa Clara Valley Urban Runoff Pollution Prevention Program Comments on  
the Administrative Draft Municipal Regional Permit**

Dear Mr. Wolfe:

Thank you for the opportunity to submit comments on the Regional Water Board's Administrative Draft Municipal Regional Permit (MRP) dated May 1, 2007. The Santa Clara Valley Urban Runoff Pollution Prevention Program (Santa Clara Program) supports the comments submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) and we appreciate Water Board staff's willingness to meet with BASMAA to discuss areas of concern in the current draft of the MRP. In addition, we would also like to submit the following comments on several items in Provision C.3. of the MRP which are of particular concern to SCVURPPP.

**Hydromodification Management (C.3.f, page 41, and Attachment E)**

The Administrative Draft MRP proposes substantial changes to the Hydromodification Management Plan (HMP) for the Santa Clara Basin, which was previously approved by the Water Board in July 2005. All other Bay Area HMPs approved by the Water Board appear to remain unchanged. The Santa Clara Program is concerned that the proposed approach provides a disincentive to more sustainable high density development in our communities and does not offer an adequate set of tools for implementing measures to address the potential impacts of runoff flows from development projects. The approach proposed in the Administrative Draft MRP can actually have a deleterious effect on water quality in that it may encourage sprawl over infill development as a growth strategy. The Santa Clara Program requests to meet with Water Board staff in August to discuss changes to the Santa Clara Basin HMP.

**Alternative Compliance (C.3.g, page 45)**

The Administrative Draft MRP proposes significant constraints on compliance alternatives to numeric sizing for regulated projects. In implementing the Santa Clara Program's 2001 NPDES stormwater permit, several Santa Clara Co-permittees adopted Alternative Compliance

Mr. Bruce Wolfe  
July 13, 2007  
Page 2

programs following substantial dialogue with Water Board staff and the Executive Officer. The MRP should be consistent with these already adopted programs and/or allow for their ongoing implementation with this MRP. No basis has been provided for invalidating established programs. We do not expect that alternative compliance will be a common technique but it is an important tool for some projects.

**Infiltration Devices (Glossary, page vii, and C.3.i, page 47)**

Because of the concern for protection of groundwater quality in the Santa Clara Basin, we recommend that the MRP more clearly define "infiltration devices", in order to distinguish infiltration devices from other infiltration measures that are desirable site design and treatment features, and recognize that specific infiltration devices such as dry wells may have greater potential impacts to groundwater quality than others. The Santa Clara Program's C.3. Stormwater Handbook provides definitions and guidelines for use of infiltration devices, developed by a work group in which Water Board staff participated.

We appreciate your consideration of these comments on the Administrative Draft MRP, and we look forward to continuing to work with you in this important permitting process.

Sincerely,

A handwritten signature in cursive script that reads "Jill C. Bicknell".

Jill C. Bicknell, P.E., EOA, Inc.  
Assistant Program Manager

cc: SCVURPPP Management Committee